

08/14/01

PTO/SB/05 (11-00)

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Approved for use through 10/31/2002. OMB 0651-0032

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**UTILITY  
PATENT APPLICATION  
TRANSMITTAL**

(Only for new nonprovisional applications under 37 CFR 1.53(b))

Attorney Docket No. 520.40496X00

First Inventor Yoshiaki YAMAUCHI

Title DISC DRIVING APPARATUS

Express Mail Label No.

**APPLICATION ELEMENTS**

See MPEP chapter 600 concerning utility patent application contents.

1. ☒ Fee Transmittal Form (e.g., PTO/SB/17)  
(Submit an original and a duplicate for fee processing)
2. ☐ Applicant claims small entity status.  
See 37 CFR 1.27.
3. ☒ Specification [Total Pages 32]  
(preferred arrangement set forth below)
- Descriptive title of the invention
  - Cross Reference to Related Applications
  - Statement Regarding Fed sponsored R & D
  - Reference to sequence listing, a table, or a computer program listing appendix
  - Background of the Invention
  - Brief Summary of the Invention
  - Brief Description of the Drawings (if filed)
  - Detailed Description
  - Claim(s)
  - Abstract of the Disclosure
4. ☒ Drawing(s) (35 U.S.C. 113) [Total Sheets 4]
5. Oath or Declaration [Total Pages ]
- a. ☐ Newly executed (original or copy)
- b. ☐ Copy from a prior application (37 CFR 1.63 (d))  
(for continuation/divisional with Box 18 completed)
- i. ☐ **DELETION OF INVENTOR(S)**  
Signed statement attached deleting inventor(s)  
named in the prior application, see 37 CFR  
1.63(d)(2) and 1.33(b).
6. ☐ Application Data Sheet. See 37 CFR 1.76

ADDRESS TO: Assistant Commissioner for Patents  
Box Patent Application  
Washington, DC 20231

7. ☐ CD-ROM or CD-R in duplicate, large table or  
Computer Program (Appendix)
8. Nucleotide and/or Amino Acid Sequence Submission  
(if applicable, all necessary)
- a. ☐ Computer Readable Form (CRF)
- b. Specification Sequence Listing on:
- i. ☐ CD-ROM or CD-R (2 copies); or
- ii. ☐ paper
- c. ☐ Statements verifying identity of above copies

**ACCOMPANYING APPLICATION PARTS**

9. ☐ Assignment Papers (cover sheet & document(s))
10. ☐ 37 CFR 3.73(b) Statement ☐ Power of  
(when there is an assignee) Attorney
11. ☐ English Translation Document (if applicable)
12. ☐ Information Disclosure ☐ Copies of IDS  
Statement (IDS)/PTO-1449 Citations
13. ☐ Preliminary Amendment
14. ☒ Return Receipt Postcard (MPEP 503)  
(Should be specifically itemized)
15. ☐ Certified Copy of Priority Document(s)  
(if foreign priority is claimed)
16. ☐ Request and Certification under 35 U.S.C. 122  
(b)(2)(B)(i). Applicant must attach form PTO/SB/35  
or its equivalent.
17. ☒ Other: See Attachment

18. If a CONTINUING APPLICATION, check appropriate box, and supply the requisite information below and in a preliminary amendment, or in an Application Data Sheet under 37 CFR 1.76:

☐ Continuation ☐ Divisional ☐ Continuation-in-part (CIP)

of prior application No.: /

Prior application information:

Examiner

Group Art Unit:

For CONTINUATION OR DIVISIONAL APPS only: The entire disclosure of the prior application, from which an oath or declaration is supplied under Box 5b, is considered a part of the disclosure of the accompanying continuation or divisional application and is hereby incorporated by reference. The incorporation can only be relied upon when a portion has been inadvertently omitted from the submitted application parts.

**19. CORRESPONDENCE ADDRESS**☒ Customer Number or Bar Code Label020457  
(Insert Customer No. or Attach barcode label here)or ☐ Correspondence address below

Name

Address

City

State

Zip Code

Country

Telephone

Fax

Name (Print/Type)

Melvin Kraus

Registration No. (Attorney/Agent)

22,466

Signature

Melvin Kraus

Date

August 14, 2001

Burden Hour Statement: This form is estimated to take 0.2 hours to complete. Time will vary depending upon the needs of the individual case. Any comments on the amount of time you are required to complete this form should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, Washington, DC 20231. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Assistant Commissioner for Patents, Box Patent Application, Washington, DC 20231.

# FEE TRANSMITTAL

## for FY 2000

Patent fees are subject to annual revision.  
Small Entity payments must be supported by a small entity statement,  
otherwise large entity fees must be paid. See Forms PTO/SB/09-12.  
See 37 C.F.R. §§ 1.27 and 1.28.

TOTAL AMOUNT OF PAYMENT (\$870.00)

### Complete if Known

Application Number	
Filing Date	August 14, 2001
First Named Inventor	Yoshiaki YAMAUCHI
Examiner Name	
Group / Art Unit	
Attorney Docket No.	520.40496X00

### METHOD OF PAYMENT (check one)

1. ☐ The Commissioner is hereby authorized to charge indicated fees and credit any overpayments to:

Deposit Account Number 01-2135

Deposit Account Name Antonelli, Terry, Stout & Kraus, LLP

☒ Charge Any Additional Fee Required  
Under 37 CFR §§ 1.16 and 1.17

2. ☒ Payment Enclosed:  
☐ Check ☐ Money Order ☒ Other

### FEE CALCULATION

#### 1. BASIC FILING FEE

Large Entity Fee Code (\$)	Small Entity Fee Code (\$)	Fee Description	Fee Paid
101 690	201 345	Utility filing fee	710.00
106 310	206 155	Design filing fee	
107 480	207 240	Plant filing fee	
108 690	208 345	Reissue filing fee	
114 150	214 75	Provisional filing fee	

SUBTOTAL (1) (\$ 710.00)

#### 2. EXTRA CLAIM FEES

Total Claims	Extra Claims	Fee from below	Fee Paid
9	-20** = 0	18	0
Independent Claims	3 - 3** = 2	80	160
Multiple Dependent			0

\*\*or number previously paid, if greater; For Reissues, see below

Large Entity Fee Code (\$)	Small Entity Fee Code (\$)	Fee Description
103 18	203 9	Claims in excess of 20
102 78	202 39	Independent claims in excess of 3
104 260	204 130	Multiple dependent claim, if not paid
109 78	209 39	** Reissue independent claims over original patent
110 18	210 9	** Reissue claims in excess of 20 and over original patent

SUBTOTAL (2) (\$ 160.00)

### FEE CALCULATION (continued)

#### 3. ADDITIONAL FEES

Large Entity Fee Code (\$)	Small Entity Fee Code (\$)	Fee Description	Fee Paid
105 130	205 65	Surcharge - late filing fee or oath	0.00
127 50	227 25	Surcharge - late provisional filing fee or cover sheet	0.00
139 130	139 130	Non-English specification	0.00
147 2,520	147 2,520	For filing a request for reexamination	0.00
112 920*	112 920*	Requesting publication of SIR prior to Examiner action	0.00
113 1,840*	113 1,840*	Requesting publication of SIR after Examiner action	0.00
115 110	215 55	Extension for reply within first month	0.00
116 380	216 190	Extension for reply within second month	0.00
117 870	217 435	Extension for reply within third month	0.00
118 1,360	218 680	Extension for reply within fourth month	0.00
128 1,850	228 925	Extension for reply within fifth month	0.00
119 300	219 150	Notice of Appeal	0.00
120 300	220 150	Filing a brief in support of an appeal	0.00
121 260	221 130	Request for oral hearing	0.00
138 1,510	138 1,510	Petition to institute a public use proceeding	0.00
140 110	240 55	Petition to revive - unavoidable	0.00
141 1,210	241 605	Petition to revive - unintentional	0.00
142 1,210	242 605	Utility issue fee (or reissue)	0.00
143 430	243 215	Design issue fee	0.00
144 580	244 290	Plant issue fee	0.00
122 130	122 130	Petitions to the Commissioner	0.00
123 50	123 50	Petitions related to provisional applications	0.00
126 240	126 240	Submission of Information Disclosure Stmt	0.00
581 40	581 40	Recording each patent assignment per property (times number of properties)	0.00
146 690	246 345	Filing a submission after final rejection (37 CFR § 1.129(a))	0.00
149 690	249 345	For each additional invention to be examined (37 CFR § 1.129(b))	0.00
Other fee (specify)			0.00
Other fee (specify)			0.00

\* Reduced by Basic Filing Fee Paid SUBTOTAL (3) (\$ 0.00)

### SUBMITTED BY

Name (Print/Type)	Merwin Kraus	Registration No. (Attorney/Agent)	22,466	Telephone	703-312-6600
Signature		Date	August 14, 2001		

### WARNING:

Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.

Burden Hour Statement: This form is estimated to take 0.2 hours to complete. Time will vary depending upon the needs of the individual case. Any comments on the amount of time you are required to complete this form should be sent to the Chief Information Officer, Patent and Trademark Office, Washington, DC 20231. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Assistant Commissioner for Patents, Washington, DC 20231.

Attorney Docket No.: 520.40496X00  
First Inventor: Yoshiaki YAMAUCHI  
Title: DISC DRIVING APPARATUS  
Express Mail Label No.:

**UTILITY PATENT APPLICATION TRANSMITTAL (PTO/SB/05)**

**17. Other Accompanying Application Parts (Cont'd):**

Claim For Priority Letter

List & Copies of Prior Art w/refs.

Credit Card Payment Form

Figs.1,2A-B,3A-B,4A-D

17. Other Accompanying Application Parts (Cont'd):

**ATTORNEY REPORT OF NEWLY FILED APPLICATION<sup>1</sup>**

1) **Was the Declaration filed with the application?**

Yes /

No

If not, please indicate how the Notice to File Missing  
Parts should be handled by Formalities Department:

- ☒ Prepare missing parts and client cover letter (forward to atty)  
☐ Prepare missing parts, but NO client cover letter (forward to atty)  
☐ Forward directly to attorney (w/o preparing missing parts)

2) **Were the drawings formal?**

Yes /

No

If no, have the drawings been sent to a  
Draftsman (2 month return requested)?

Yes /

No

3) **Was there a Request for Non-Publication?**

Yes /

No

4) **Is a Preliminary Amendment necessary?**  
(docket for 3 months from filing date)

Yes /

No

5) **Is an Information Disclosure Statement necessary?**  
(docket for 3 months from filing date)

Yes /

No

6) **What is the priority date under 35 USC §119?**  
(If none, write "NONE")

Was a claim for priority filed?

Yes /

No

7) **What is the priority date under 35 USC §120**  
(If none, write "NONE")

Was the first sentence of the specification  
amended to refer to the earlier application?

Yes /

No

Atty initials ML

<sup>1</sup> This report is to be completed upon the filing of any original utility patent application, CPA application, Rule 53(b) continuation or divisional application, or continuation-in-part patent application in the United States Patent and Trademark Office and initialed by the responsible attorney. It is not completed for PCT applications, foreign filed applications, design applications, trademark applications or Requests for Continued Examination.

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicants: YAMAUCHI, et al.  
Filed: August 14, 2001  
For: DISC DRIVING APPARATUS



CLAIM FOR PRIORITY

Assistant Commissioner for Patents  
Washington, D.C. 20231

August 14, 2001

Sir:

Under the provisions of 35 USC §119 AND 37 CFR § 1.55,  
Applicants hereby claim the right of priority based on Patent  
Application No. 2001-227236 filed in Japan on July 27, 2001.

Respectfully submitted,

ANTONELLI, TERRY, STOUT & KRAUS, LLP

Melvin Kraus

Registration No. 22,466

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MK/amr

**For : The Patent Application**

**Our Ref. : NT0476US**

**\* LIST OF THE REFERENCES**

1. Japanese Laid-open No. 10-283650
2. Japanese Laid-open No. 06-111357